

City of Kelowna
Public Hearing
AGENDA



Tuesday, March 4, 2014
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030 - Official Community Plan* Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after February 21, 2014 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

- 3.1 Bylaw No. 10914 (OCP13-0020) & Bylaw No. 10915 (Z13-0043) - 1055 Frost Road, No. 21 Great Projects Ltd. & City of Kelowna 4 - 23

To amend the Official Community Plan Future Land Use Designation and to rezone the northern section of the subject property to accommodate the development of a single family subdivision.

- 3.2 Bylaw No. 10916 (Z14-0003) - 4377 Gordon Drive, Richard & Michelle Kooistra 24 - 40

To consider a proposal to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone to allow a second dwelling on the parcel.

4. Termination

5. Procedure on each Bylaw Submission

(a) Brief description of the application by City Staff (Land Use Management);

(b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chair will call for representation from the public in attendance as follows:

(i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.

(ii) The Chair will recognize ONLY speakers at the podium.

(iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for resrepresentation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

REPORT TO COUNCIL



Date: February 3rd, 2014
RIM No. 1250-30
To: City Manager
From: Subdivision, Agriculture & Environment Services, Community Planning and Real Estate (DB)
Application: OCP13-0020 / Z13-0043 **Owner:** No. 21 Great Projects Ltd.
City of Kelowna
Address: 1055 Frost Road **Applicant:** No. 21 Great Projects
Subject: OCP Amendment & Rezoning Applications
Existing OCP Designation: Multiple Unit Residential - Low Density, Single / Two Unit Residential
Proposed OCP Designation: Single / Two Unit Residential
Existing Zones: A1 - Agriculture 1, RU1H - Large Lot Housing Hillside
Proposed Zones: RU3 - Small Lot Housing

1.0 Recommendation

That Official Community Plan Bylaw Amendment No. OCP13-0020 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing part of the Future Land Use designation of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408, EPP22118, and EPP33403 located at 1055 Frost Road from Multiple Unit Residential - Low Density to Single / Two Unit Residential as shown on Map "A" attached to the Report of Subdivision, Agriculture & Environment Services, dated January 20, 2014, be considered by Council;

AND THAT Rezoning Application No. Z13-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408, EPP22118 and EPP33403, located at 1055 Frost from A1 - Agriculture 1 and RU1H - Large Lot Housing Hillside zones to the RU3 - Small Lot Housing zone as shown on Map "B" attached to the report of the Subdivision, Agriculture & Environment Services, dated January 20, 2014, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review by the City of Kelowna's Subdivision Approving Officer.

2.0 Purpose

To amend the Official Community Plan Future Land Use Designation and to rezone the northern section of the subject property to accommodate the development of a single family subdivision.

3.0 Subdivision, Agriculture and Environment Services comments

The northern section of the subject property currently has two future land use designations under the current Official Community Plan (OCP). The eastern portion is designated for Single/Two Unit Residential (S2RES) and the western portion is designated for Multiple Unit Residential (Low Density)(MRL). The current zoning shares the same boundaries with the western portion zoned for Agriculture (A1) and the eastern portion zoned for Large Lot Housing (Hillside Area)(RU1H).

The applicant is proposing to amend the OCP designation from the MRL designated portion of the property to S2RES and to rezone the entire property to Small Lot Housing (RU3), to facilitate the construction of approximately 29 single family lots.

Staff is generally supportive of the OCP amendment and rezoning applications that have been submitted to accommodate the development of this proposed single family residential subdivision. However, staff acknowledge that there will be a slight reduction in the density of this area as a result of this proposal. As the subject property is adjacent to a future school and is partially within the South Gordon village centre where higher density residential development is desired. Therefore, Staff would encourage the developer to consider relocating the density to an appropriate location elsewhere within The Ponds development.

4.0 Proposal

4.1 Project Description

In the OCP and Area Structure Plan for Neighborhood 3 of "The Ponds" development, a portion of the site had originally been envisioned to be part of a larger multi-family site. However, due to planning refinements in the area, such as the relocation of the school site and road realignments, a portion of the multi-family site became fragmented and isolated.

The applicant is proposing to amend the OCP designation from the MRL portion to S2RES and to rezone the entire northern portion of property to Small Lot Housing (RU3) to facilitate the construction of approximately 29 single family lots.

Although this development will be adjacent to two major roads, the developer's intent is to create a neighborhood with an internal focus. Access to the neighborhood will be provided by a road directly off of the existing cul-de-sac at the end of Steele Road. Driveway access from the internal road and lane will reduce pedestrian/vehicular conflicts in front of the school and buffer residences from school activity. Although internally focused, the developer will develop housing with welcoming entrances and porches that will front Steele Road.

An emergency access will also be provided directly to Steele Road. This emergency access will provide a convenient pedestrian approach to the park and school for area residents and surrounding communities.

4.2 Site Context

Subject Property Map:



The subject property is located in the south end area of town in a predominantly single family neighbourhood. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks & Open Space	Trail Corridor
East	P2 - Education and Minor Institutional	School site
South	A1 -Agricultural Zone	Multiple Unit Residential
West	C3 - community Commercial	Commercial

5.0 Technical Comments

Development Engineering Department

See Attached.

Infrastructure Planning - Parks & Public Spaces

For proposed lots that share a common property line with the community park site to the north, the Developer is required to install a 1.2 metre high black vinyl coated chain link fence (to City specifications) that is located 15 centimetres (6 inches) inside the private property lines.

Application Chronology

Date of Application Received: November 21, 2013
Public Notification Received: January 31, 2014

Report prepared by:

Damien Burggraeve, Land Use Planner

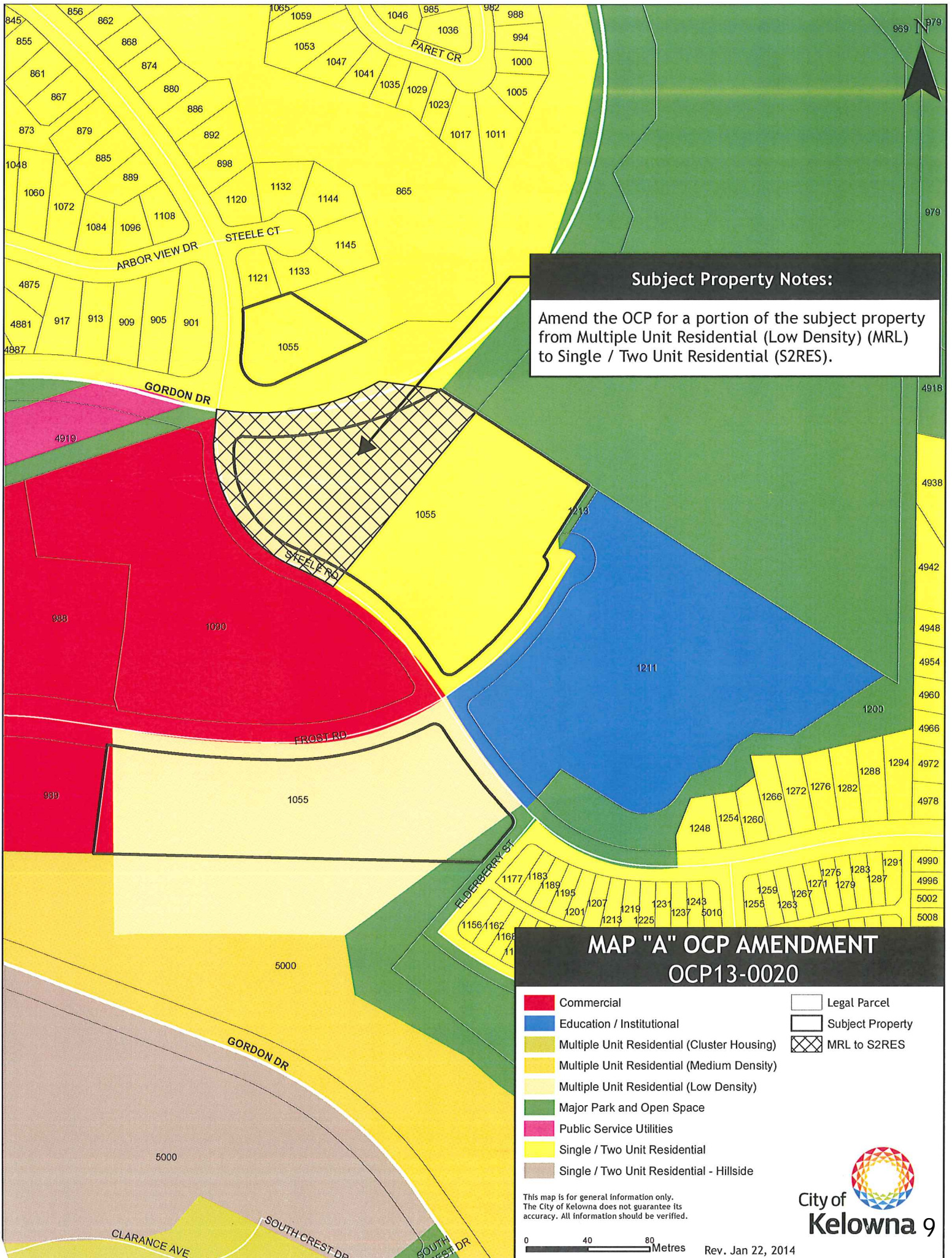
Approved for Inclusion:



Shelley Gambacort, Subdivision, Agriculture & Environment

Attachments:

- Map A
- Map B
- Subject Property Map
- Site Photos
- Lot Layout
- Development Engineering Requirements
- Public Consultation - Letter from School District 23



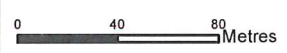
Subject Property Notes:

Amend the OCP for a portion of the subject property from Multiple Unit Residential (Low Density) (MRL) to Single / Two Unit Residential (S2RES).

**MAP "A" OCP AMENDMENT
OCP13-0020**

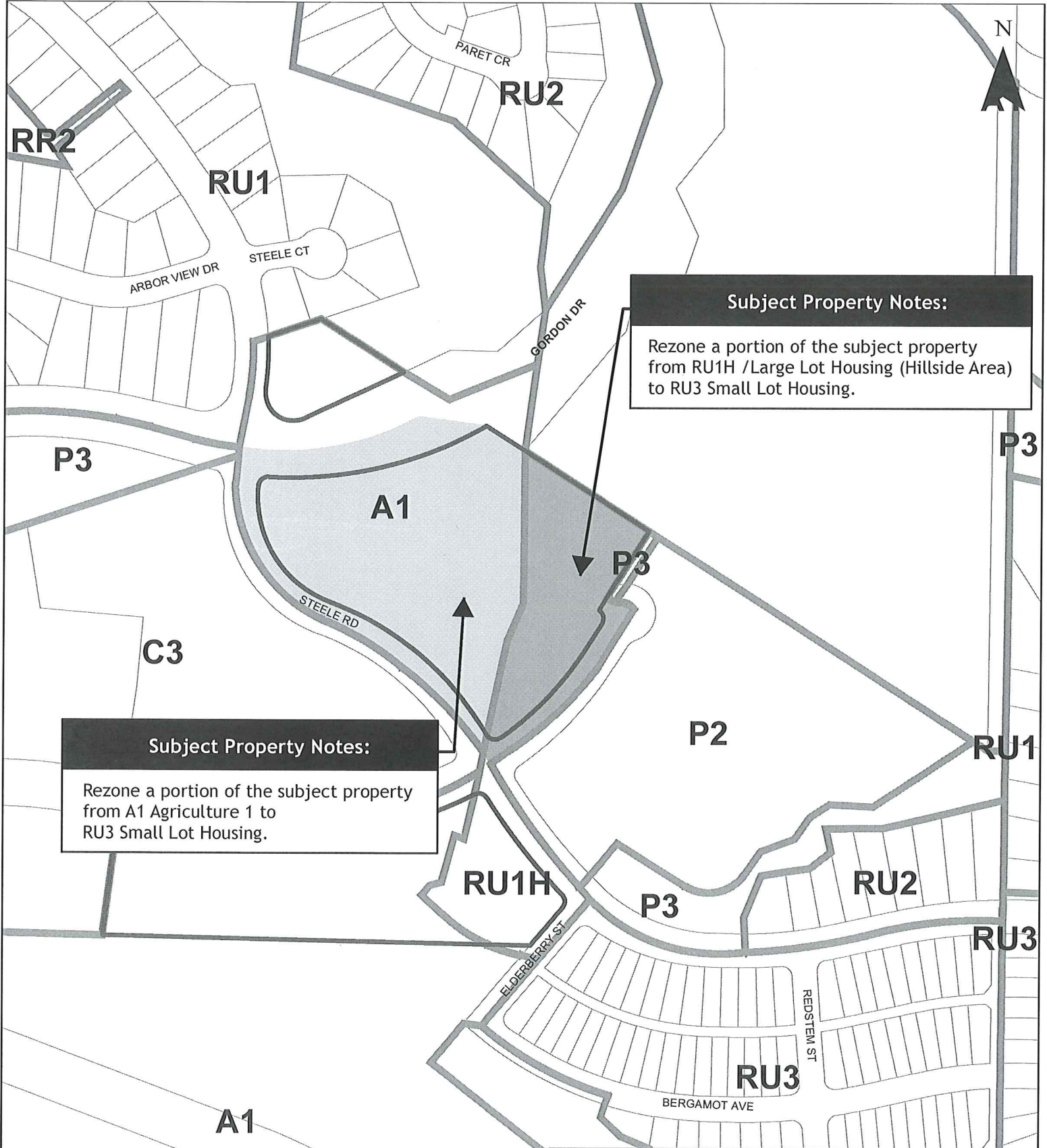
- | | |
|---|------------------|
| Commercial | Legal Parcel |
| Education / Institutional | Subject Property |
| Multiple Unit Residential (Cluster Housing) | MRL to S2RES |
| Multiple Unit Residential (Medium Density) | |
| Multiple Unit Residential (Low Density) | |
| Major Park and Open Space | |
| Public Service Utilities | |
| Single / Two Unit Residential | |
| Single / Two Unit Residential - Hillside | |

This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



Rev. Jan 22, 2014





Subject Property Notes:
 Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to RU3 Small Lot Housing.

Subject Property Notes:
 Rezone a portion of the subject property from A1 Agriculture 1 to RU3 Small Lot Housing.

MAP "B" PROPOSED ZONING
 File #Z13-0043

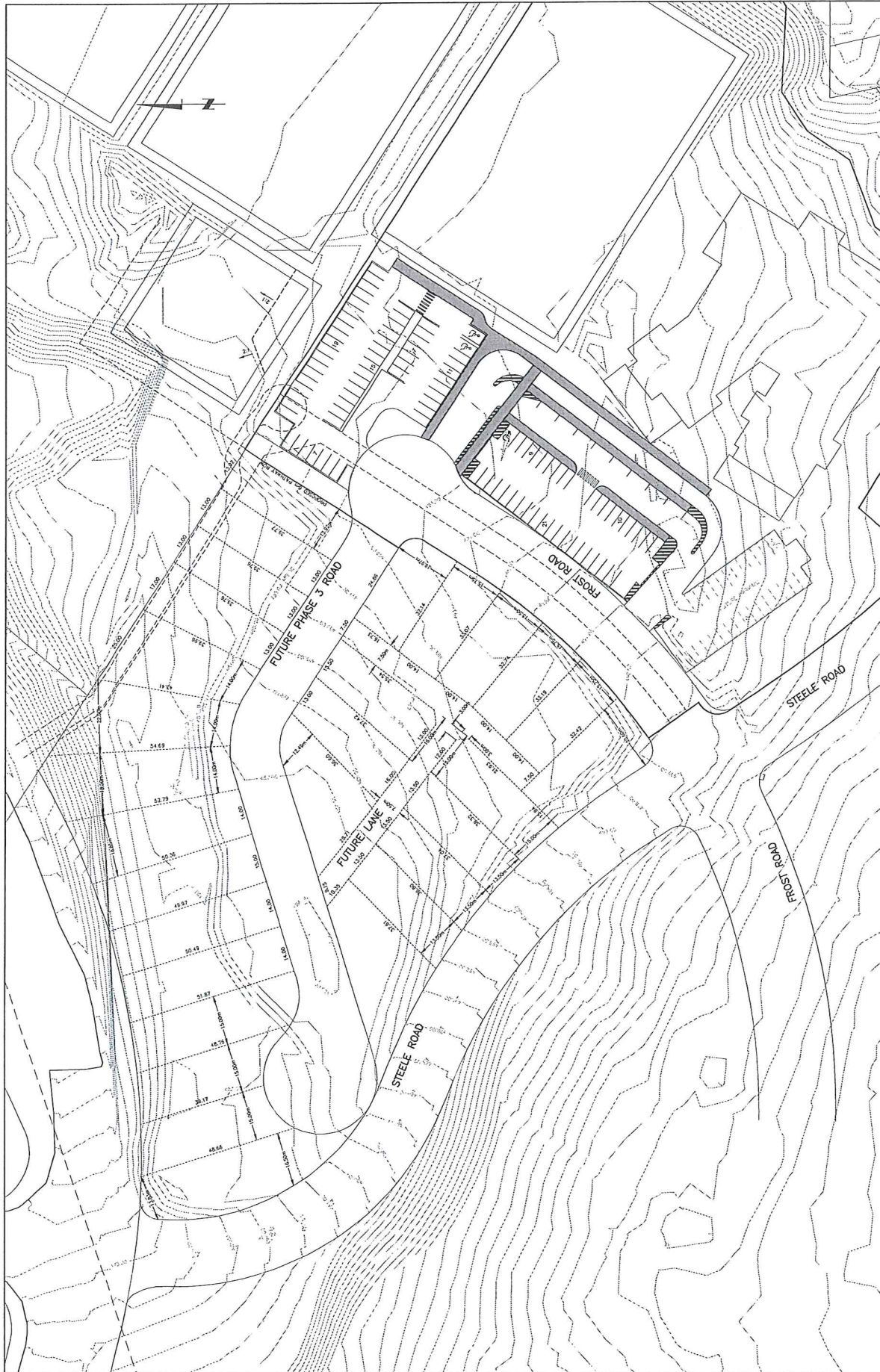
- Legal Parcel
- Subject Property
- A1 to RU3
- RU1H RU3

This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



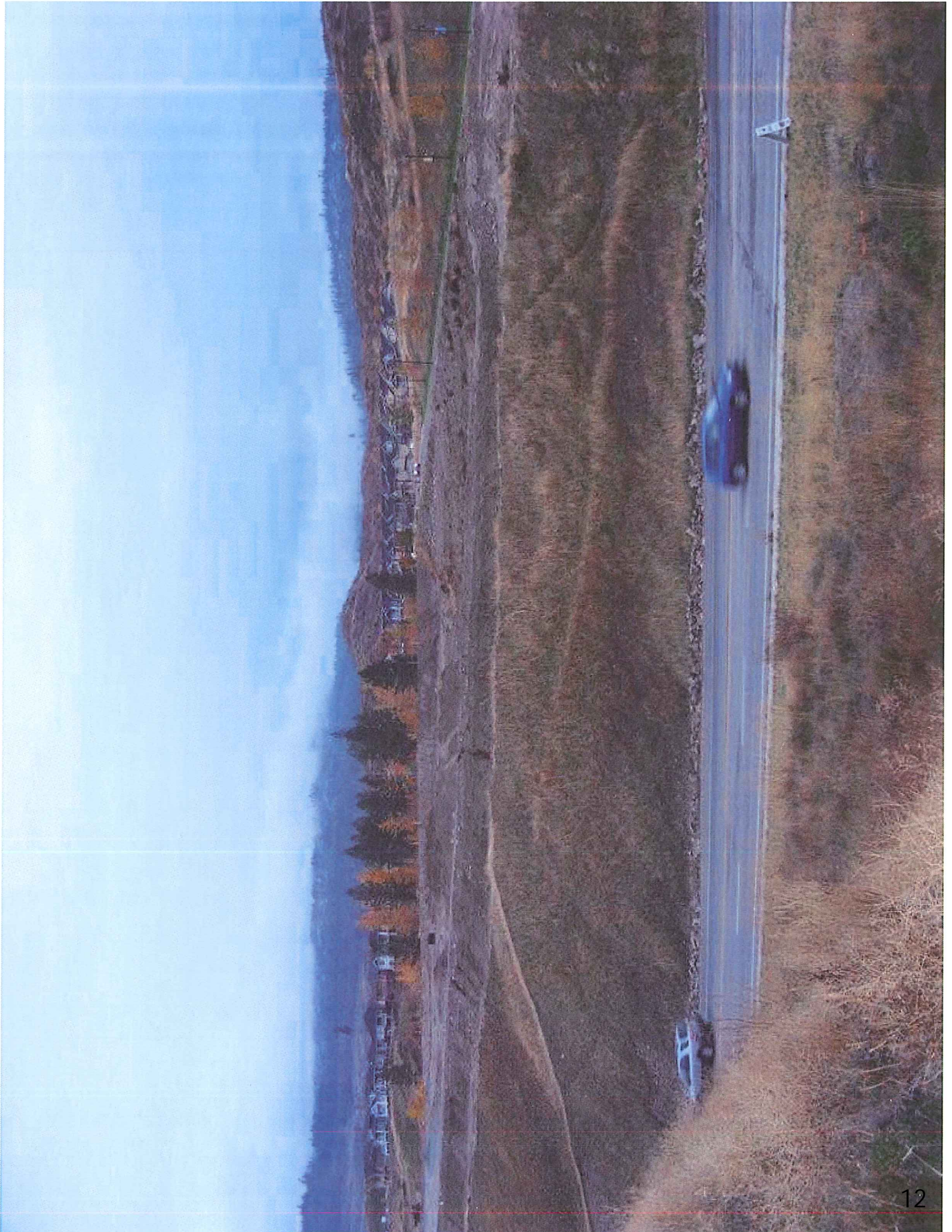
Rev. Jan 22, 2014

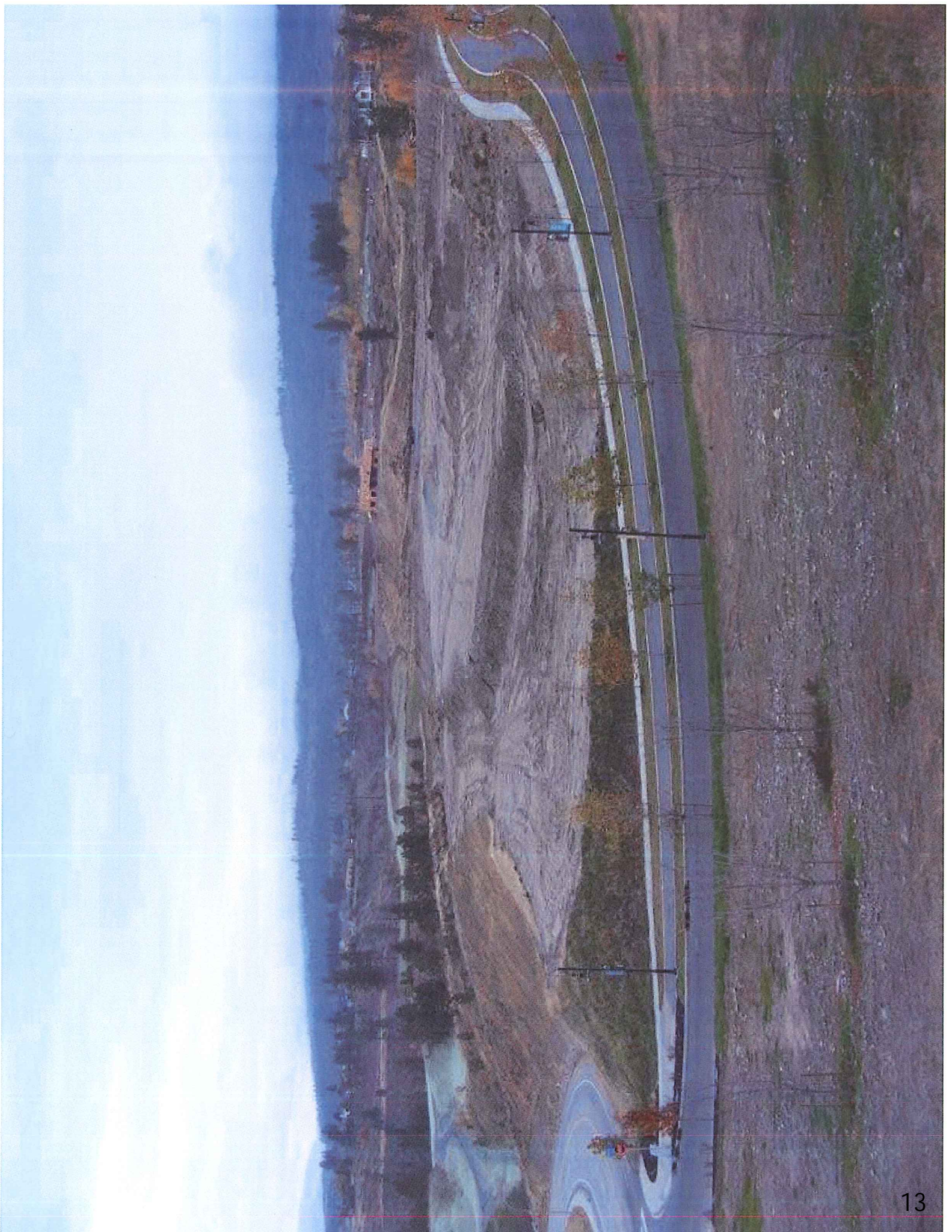




LEGEND UNASSIGNED WATER POWER POLE FURNACE POLE LAMP STANDARD STORM SEWER GAS TELEPHONE W/S ELECTRICAL TREE SOURCE MONUMENT		REVISION NO. DATE BY	
FOCUS SITE DESIGN & CONSTRUCTION 11000 SCALE NOT ACCURATE OVER LONG DISTANCES PHONE (203) 890-2200 FAX (203) 890-3111		THE CITY OF KELOWNA DESIGN AND CONSTRUCTION DIVISION MUNICIPAL DRAWING NO. REV. NO.	
NAD 83 INSERTION BASE POINT = 4300,000 Locations and elevations are based on the datum of the National Aerial Photography Triangulation System (NAD 83). These elevations are approximate and should not be used for any purpose other than general information.		DATED	

CITY FILE # 713-0002







January 24, 2014

School District No. 23
685 Dease Road
Kelowna, BC
V1X 4A4

Attn: Larry Paul and Emily Watson

As an adjacent land owner, we would like to present information on the Proposed Zoning and OCP Amendment for a new phase of single family lots at The Ponds.

Design Rationale:

The Ponds is planning to develop approximately 29 lots in the third phase of No. 21 Great Projects Ltd. lands in Neighbourhood 3. The 2.30 hectare site is adjacent to the school site and City Park and is close to shopping. The proposed RU3 single family small lot housing will be within convenient walking distance to all of these amenities.

In the OCP and the Area Structure Plan for Neighbourhood 3, a portion of the site had originally been envisioned to be part of a larger multi-family site. Due to subsequent planning refinements including the relocation of the school site, an upgrade of the school from elementary to a middle school and road re-alignments, this portion of the multi-family site became fragmented and isolated. Consolidation of the site into one RU3 land use zone is now more appropriate.

Although this development will be adjacent to Steele Road and Frost Road, the intent is to create a small neighbourhood unit with an internal focus. Access to the neighbourhood will be provided by a road directly off the cul-de-sac at the end of Steele Road. Driveway access from the internal road and a lane will reduce pedestrian/vehicular conflicts in front of the school and buffer residences from the adjacent school activity. An emergency access will also be provided directly to Steele Road. This emergency access will provide a convenient pedestrian approach to the park and school for area residents and surrounding communities.

Although internally focussed, the neighbourhood will not turn its back on the community. Housing with welcoming entrances and porches will front Steele Road (across from the Village Centre) and Frost Road (across from the Middle School Property).

Contact Information:

We would appreciate if you could provide us with your comments on this application prior to First Reading by City Council. Please contact The Ponds or the City of Kelowna if you have any questions or would like to discuss this proposal further.

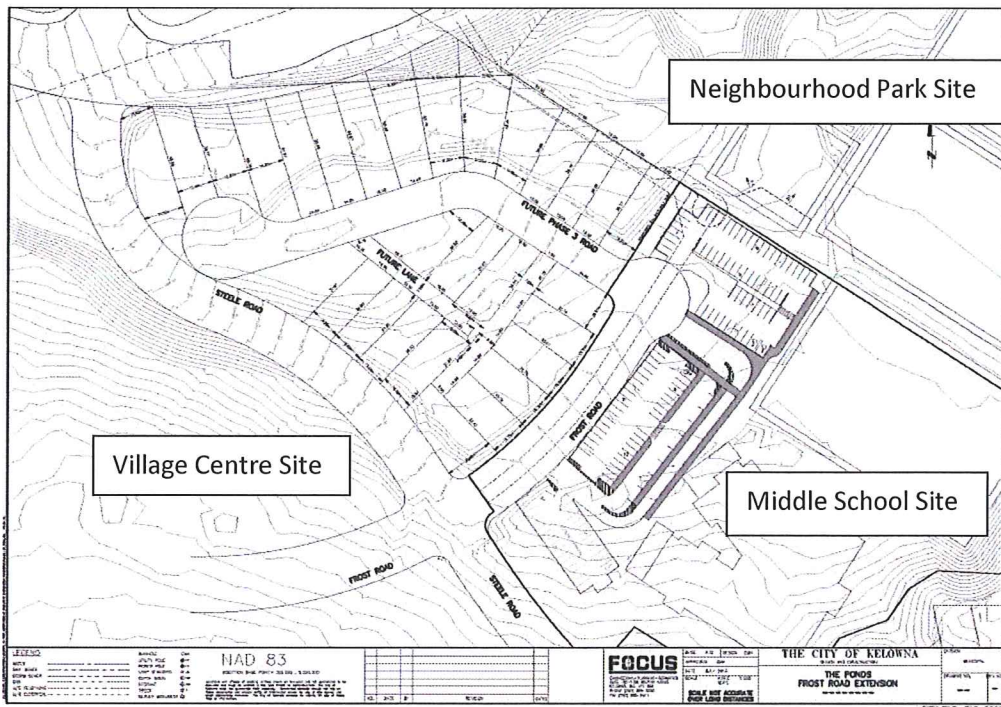
The Ponds

Crystal Lloyd
Development Manager
Phone 250.764.8700
Email crystal@theponds.ca
PO Box 29030 OKM
Kelowna, BC V1W 4A7

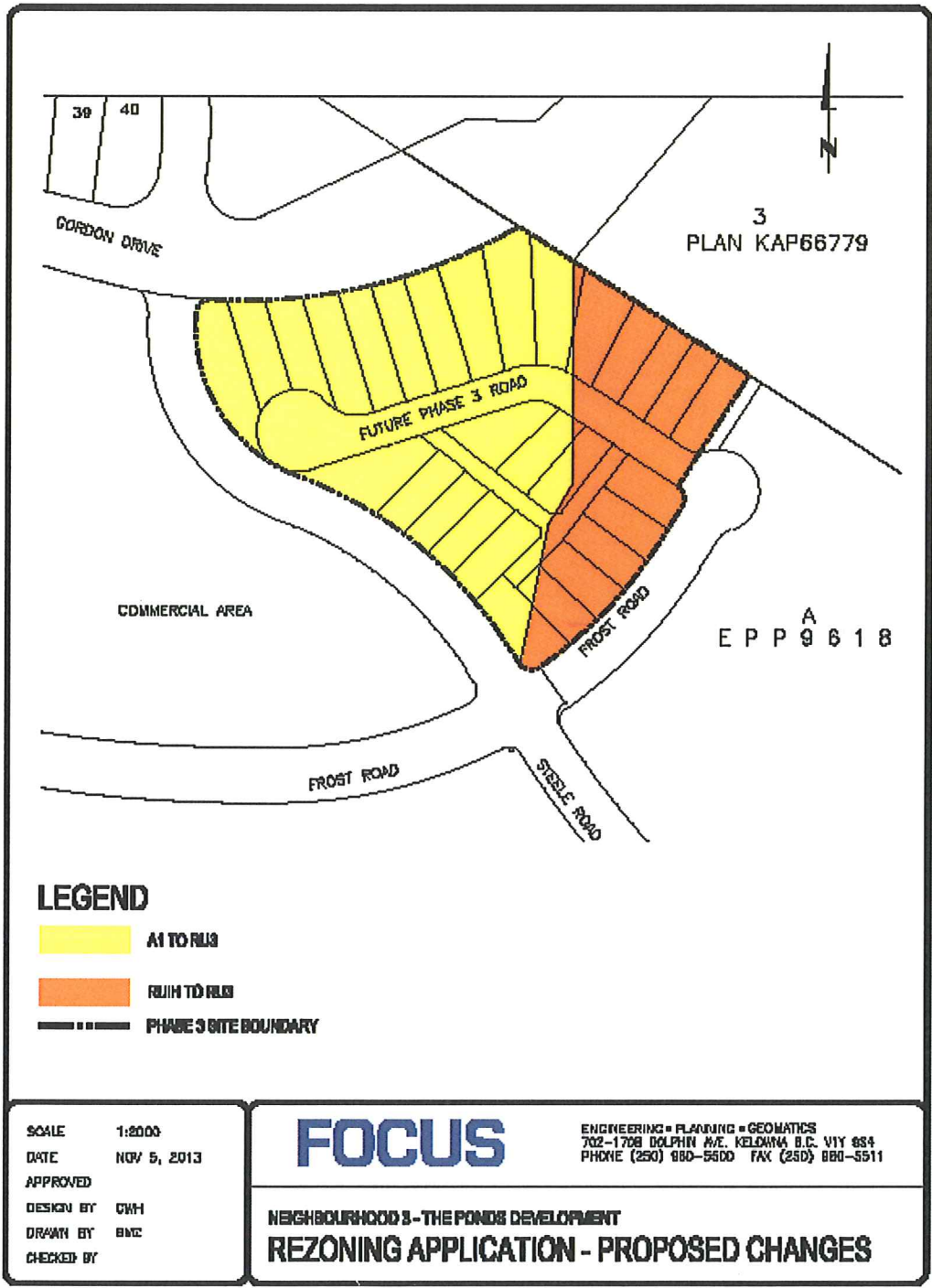
City of Kelowna

Damien Burggraeve, RPP, MCIP
Planner II / Deputy Approving Officer
Phone 250.469.8473
Fax 250.862.3314
Email dburggraeve@kelowna.ca
1435 Water Street
Kelowna, BC V1Y1J4

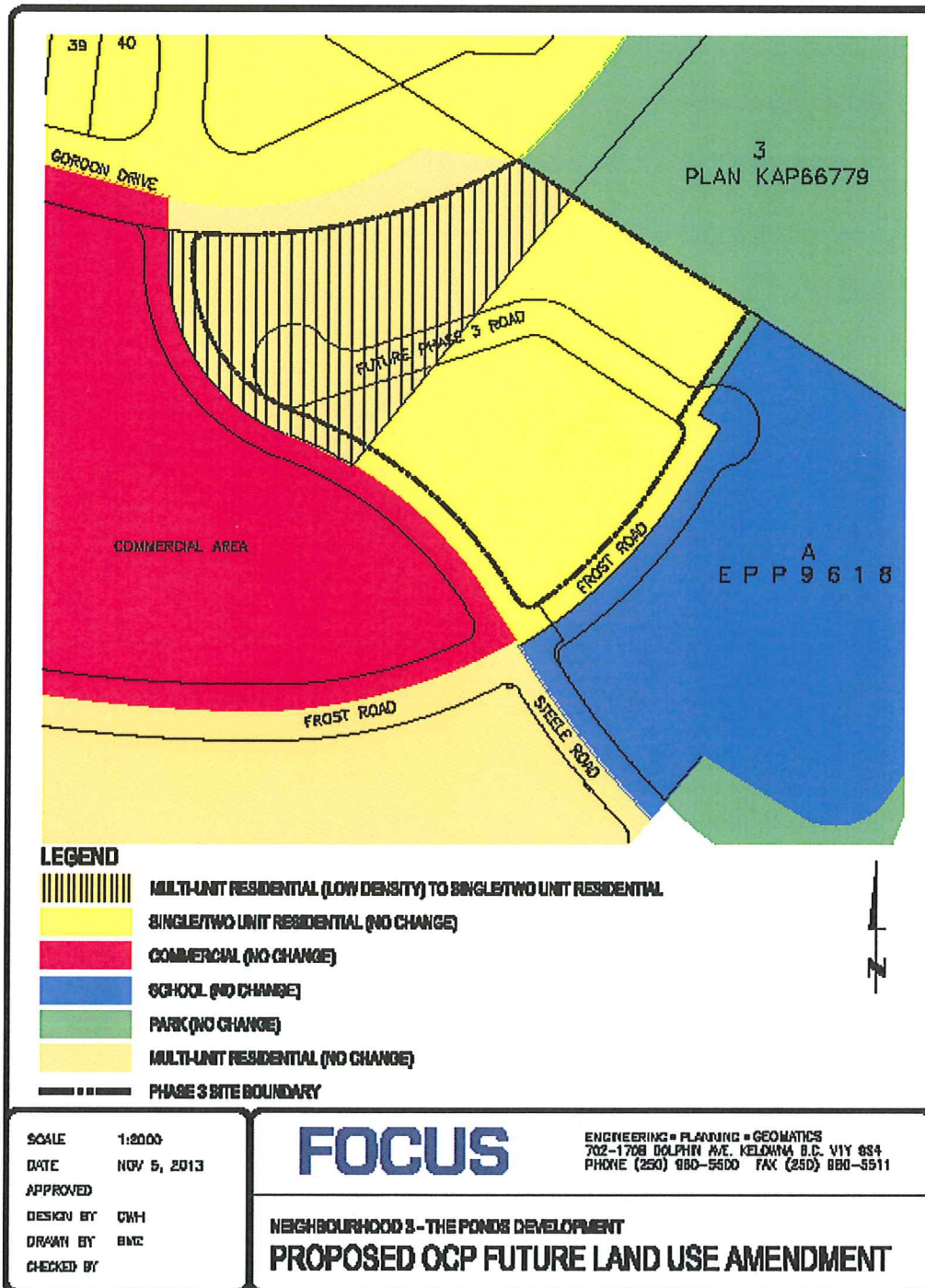
Preliminary Site Plan:



Proposed Rezoning Mapping:



Proposed OCP Amendment Mapping:



CITY OF KELOWNA
MEMORANDUM

Date: December 20, 2013
File No.: Z13-0043
To: Land Use Management Department (AW)
From: Development Engineering Manager (SM)
Subject: 1150 Steele Road Lot A Plan EPP9618 29 lot RU3 SD

The Development Engineering Branch comments and requirements regarding this application to rezone from RU1H to RU3 are as follows:

The Development Engineering Technologist for this project is John Filipenko. AScT

.1) General

- a) The postal authorities must be contacted to determine whether or not a “community mailbox” will be utilized, and if so, its location should be determined and the proposed location shown on the construction plans. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.
- b) Provide easements as may be required.

.2) Geotechnical Report

- a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer’s report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).

- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- (vii) Identify slopes greater than 30%.
- ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- iii) Recommendations for items that should be included in a Restrictive Covenant.
- iv) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- v) Any items required in other sections of this document.
- vi) Recommendations for erosion and sedimentation controls for water and wind.
- vii) Recommendations for roof drains and perimeter drains.

.3) Water

- (a) The property is located within the City of Kelowna service area.
- (b) Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw.
- (c) Only one service is to be provided per lot. Disconnect the exiting unused services at the main.
- (d) Extend the watermain within Frost Road to the existing watermain within Steele Road.
- (e) Landscaped boulevards, complete with underground irrigation systems, must be integrated with the on-site irrigation system.

.4) Sanitary Sewer

- a) The property is located within the City of Kelowna service area.
- b) Provide an adequately sized sanitary sewer system complete with individual lot connections in accordance with the Subdivision, Development & Servicing Bylaw. Only one service is to be provided per lot. Disconnect and cap the exiting unused services at the main.

.5) Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydro geotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii) A detailed Stormwater Management Plan for this development; and,
 - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Identify clearly on a contour map, or lot grading plan, the top of bank(s). Provide cross sections along the top of the bank at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.
- e) Where ditches are provided they must be adequately lined and protected for the design flows.

.6) Roads

- a) Steele Road frontage is fully urbanized and therefore no further upgrades are anticipated at this time.
- b) Frost Road extension: Dedicate 15.0m and construct the road to a modified local standard including a cul-de-sac bulb at its terminus. Construct curb and gutters, a separate concrete sidewalk with landscape boulevards, a piped storm drainage system complete with underground irrigation system, and street lights.
- c) Dedicate and construct a 6.0m wide hard surface pedestrian and emergency vehicle access link between the cul-de-sac and Steele Road, complete with bollards and landscape buffers.

.7) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground
- b) Street lights must be installed on all roads.
- c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.8) Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Services Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

.9) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. **The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works.** The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

.10) Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

.11) Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Sewer Specified Area Administration Fee of \$250.00 to amend service boundary (Spec Area 1).
- c) Drainage work Latecomers (pending) according to the Area Structure Plan.
- d) Water Extended Service Area Latecomers:

ESA#	Frontender	Available EDU	Anniversary (rates increase)	*Rate/unit \$
8	S Mission Water	CWS-14 1288.00	Jan 1,2013	182.00
11	No.21	CWS-17 552	Nov 11,2013	1289.00

*(these fees are to be confirmed at time of subdivision)

- e) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iv) Engineering and Inspection Fee: 3% of construction value (plus GST).

Steve Muenz, P. Eng.
 Development Engineering Manager
 JF/jf



"Together We Learn"

SCHOOL DISTRICT NO. 23

(Central Okanagan)

OPERATIONS

685 Dease Road, Kelowna, B.C. V1X 4A4

Tel: (250) 870-5150

Email: Operations.Department@sd23.bc.ca

Date: January 31st, 2014

Crystal Lloyd
Development Manager
The Ponds
PO Box 29030 OKM
Kelowna, BC, VIW 4A7

Dear Ms. Lloyd,

SUBJECT: Proposed Zoning and OCP Amendment in The Ponds

Thank you for your letter dated January 24th, 2014 regarding Neighbourhood 3 within The Ponds development.

The subject property of 2.3 hectares is adjacent to the School District's future middle school site. The School District is supportive of the proposed Zoning and OCP Amendment and believes the resulting development will be an asset to the future middle school by providing housing within convenient walking distance of our site.

We would also like to thank you for your collaborative approach to development and look forward to seeing the results. Please don't hesitate to contact me (emily.watson@sd23.bc.ca) should you require any additional information from the school district in regards to this Rezoning and OCP application.

Kind Regards,

Emily Watson
Planning Manager

Cc: Larry Paul (School District No. 23)
Damien Burggraeve (City of Kelowna)

REPORT TO COUNCIL



Date: 2/5/2014
RIM No. 1250-30
To: City Manager
From: Urban Planning Department
Application: Z14-0003 **Owner:** Richard & Michelle Kooistra
Address: 4377 Gordon Dr. **Applicant:** Richard & Michelle Kooistra
Subject: Rezoning Application
Existing OCP Designation: S2RES - Single / Two Unit Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

That Rezoning Application No. Z14-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 358, ODYD, Plan 21365, located on 4377 Gordon Drive, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amending Bylaw be subsequent to the requirements Development Engineering Branch being completed to their satisfaction.

2.0 Purpose

To consider a proposal to rezone the subject property from RU1 - Large Lot Housing to RU6 - Two Dwelling Housing to allow a second dwelling on the parcel.

3.0 Urban Planning Department

Staff are supportive of the proposed rezoning to allow the second dwelling on the subject property. The proposal is consistent with the Official Community Plan (OCP) Future Land Use designation for the area, and fits well within the existing neighbourhood context. There are some examples of RU6 & RU1c developments in the immediate area. The adjacent property to the south is zoned RU1c and has a carriage house located at the rear of the property.

The application does not trigger any variances to the Zoning Bylaw and should the land use be supported, a Development Permit to evaluate the form and character of the proposal will be processed by staff.

The proposed secondary dwelling will have a larger floor area than the principal dwelling but will be shorter in height. The proponent is requesting to rezone to RU6 rather than RU1c because they wish to have a secondary dwelling larger than a maximum allowed as a carriage house (90 m² or 75% of the principal building) which in this case would limit a carriage house to 81 m². The proposed secondary dwelling is 168 m². The subject property is quite large and can easily handle the additional 168 m² secondary dwelling at the rear of the property.

4.0 Proposal

4.1 Background

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours as described in the attached *Schedule 'A'*. No major issues were identified during consultation from neighbouring parcels. Two neighbours declined to sign the proponents' form which stated "as a proximity neighbour I have no objections to the proposed development."

4.2 Project Description

The subject property presently contains one single detached dwelling and accessory building on the eastern side of the lot. The applicant is proposing a rezoning of the property to RU6 - Two Dwelling Housing in order to allow a second dwelling on the parcel. The existing dwelling is to remain on the property and the accessory building will be removed.

The applicant anticipates a stratification of the two dwellings which will trigger improvements to the existing dwelling in order to meet the current building code. Parking for the existing dwelling is located in an existing carport. The proposed secondary dwelling will be built in the rear of the property and will have driveway access along the south property line.

The proposed secondary dwelling is a single story slab-on-grade building with a larger floor area than the existing principal building and done in neutral colours to blend in with the existing properties. The design of the secondary home is contemporary with a gabled roofline similar in style to the secondary home on the adjacent parcel. The design is intended to achieve the following:

- One story floor plan so as to not obstruct views/sightlines of adjacent neighbours.
- Relatively small footprint size and south-western housing orientation to take advantage of passive solar heating and lighting which will reduce the proponent's draw on electrical and natural gas resources.
- Xeriscaping using native plants to reduce water maintenance requirements.
- Provide in-home environmental features for efficient heating and ventilation to improve air quality for allergy sufferers. Clerestory windows provide natural light and aid in ventilation during hot summer weather.
- Grass-crete driveway to reduce heat retention and solar reflection in the hot summer season.
- Provide a streamlined minimalist exterior look that connects the indoor and outdoor space with a front porch element

A Development Permit to evaluate the form and character and landscaping of the proposed secondary dwelling is required, and will be executed at a staff level. Should the existing dwelling ever redevelop, a separate Development Permit will be required at that time.

4.3 Site Context

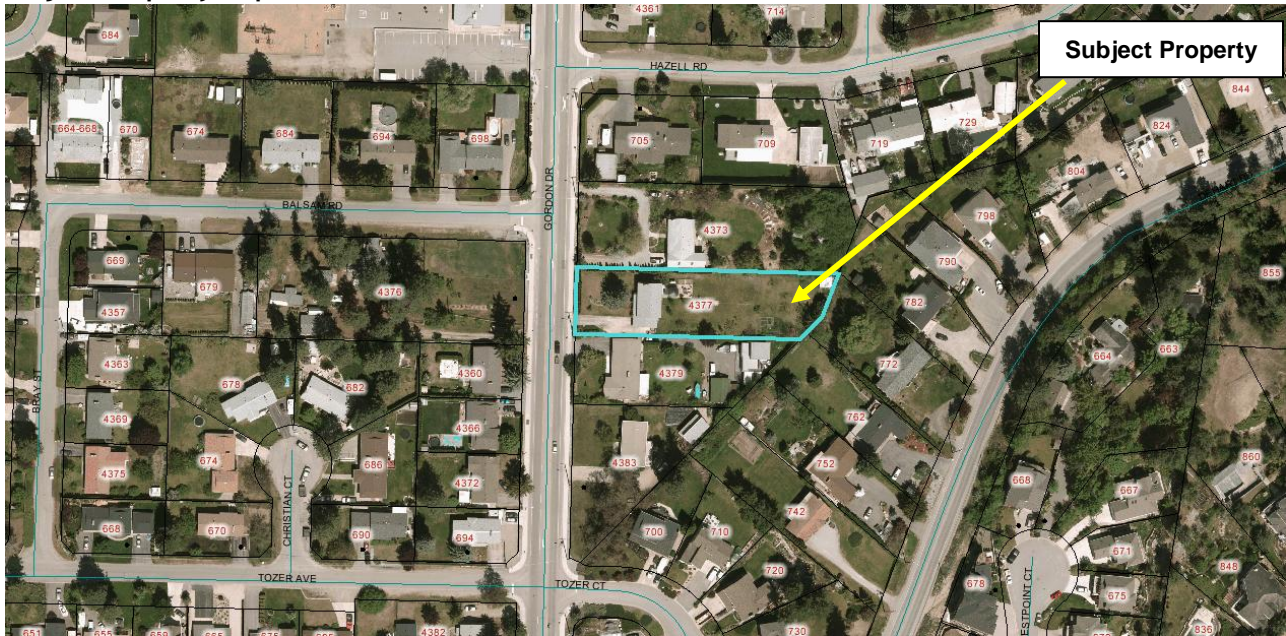
The subject property is approximately 2,499 m² in area. The OCP designates the subject property S2RES - Single / Two Unit Residential and the lot is within the Permanent Growth Boundary.

The surrounding area is characterized principally by a mix of low density single family and secondary dwelling unit development in various housing forms including duplex, secondary dwelling, and carriage house.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single detached dwelling development
East	RU1 - Large Lot Housing	Single detached dwelling development
South	RU1c - Two Dwelling Housing	Single detached dwelling and carriage house development
West	RU1 - Large Lot Housing	Single detached dwelling development

Subject Property Map: 4377 Gordon Dr.



4.4 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL	
Subdivision Regulations			
Lot Area	700 m ² (duplex)	2,499 m ²	
Lot Width	18.0 m	29.2 m	
Lot Depth	30.0 m	102 m	
Development Regulations			
	Both dwellings	Existing Principal dwelling	Second Dwelling (new)
Height	9.5 m or 2.5 storeys	5.8 m	4.5 m
Front Yard	4.5 m	23.8 m	exceeds
Side Yard (south)	2.0 m	7.9 m	3.6 m

Zoning Analysis Table			
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL	
Side Yard (north)	2.0 m	5.4 m	2.0 m
Rear Yard	6.0 m	Exceeds	12.1 m
Site coverage of buildings	40 %	14.8 %	
Site coverage of buildings, driveways & parking	50 %	29.2 %	
Other Regulations			
Minimum Parking Requirements	2 stalls / dwelling = 4 stalls	2	2
Distance between dwellings	4.5 m	22.3 m	
Private Open Space	30 m ² / dwelling (duplex only)	Exceeds	

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Complete Suburbs.² Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

Permanent Growth Boundary.³ Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

Sensitive Infill.⁴ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.3.1 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- See attached

7.0 Application Chronology

Date of Application Received:

January 15th 2014

Date of Public consultation:

December 4th 2013 to January 27th 2014 (see Consultation summary in attachments)

Report prepared by:

Adam Cseke, Land Use Planner

Reviewed by:

Ryan Smith, Urban Planning Manager

Approved for Inclusion:

D. Gilchrist, Div. Director, Community Planning & Real Estate

Attachments:

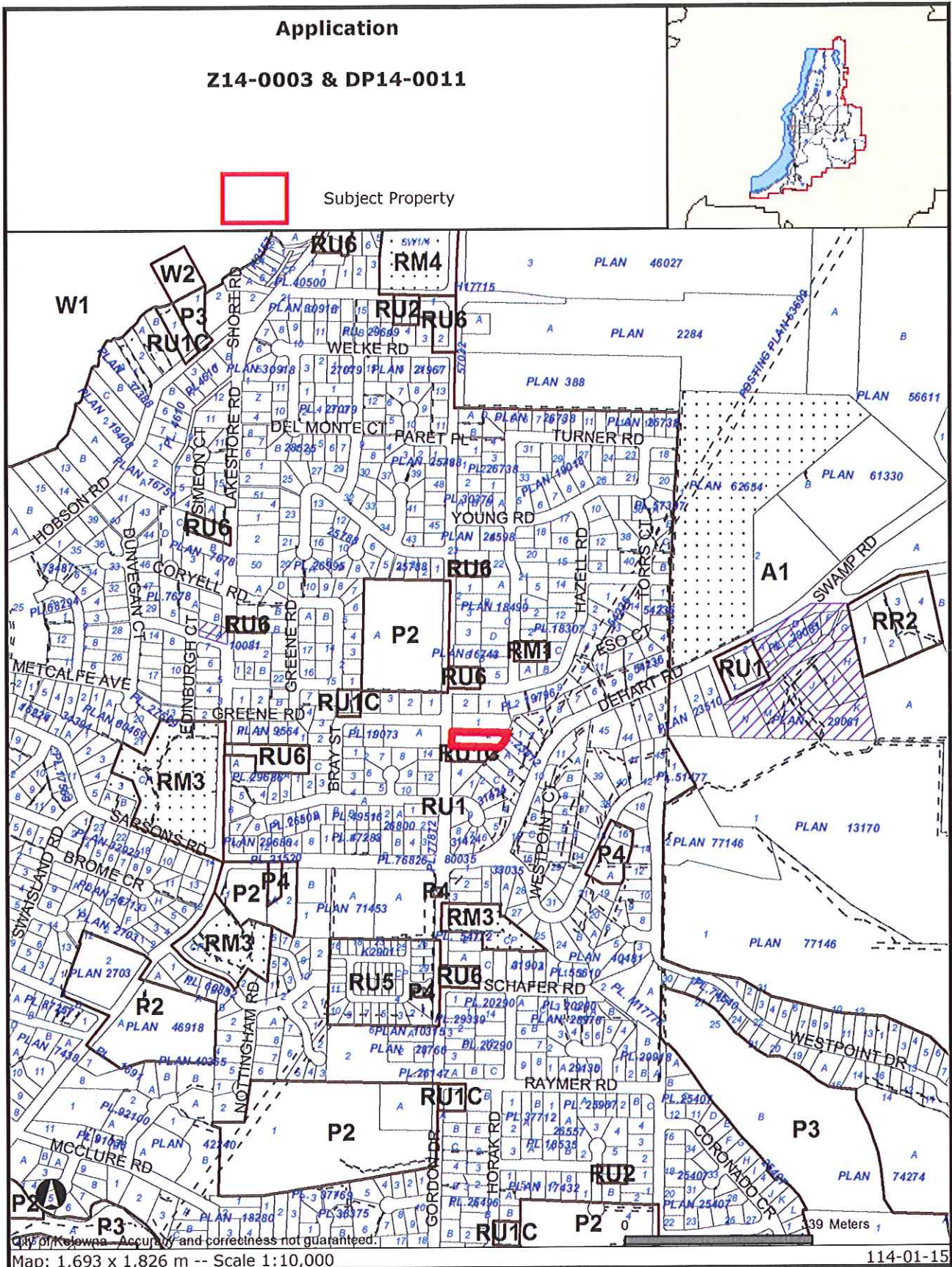
Site Plan / Landscape Plan

Conceptual Elevations

Zoning Analysis Table

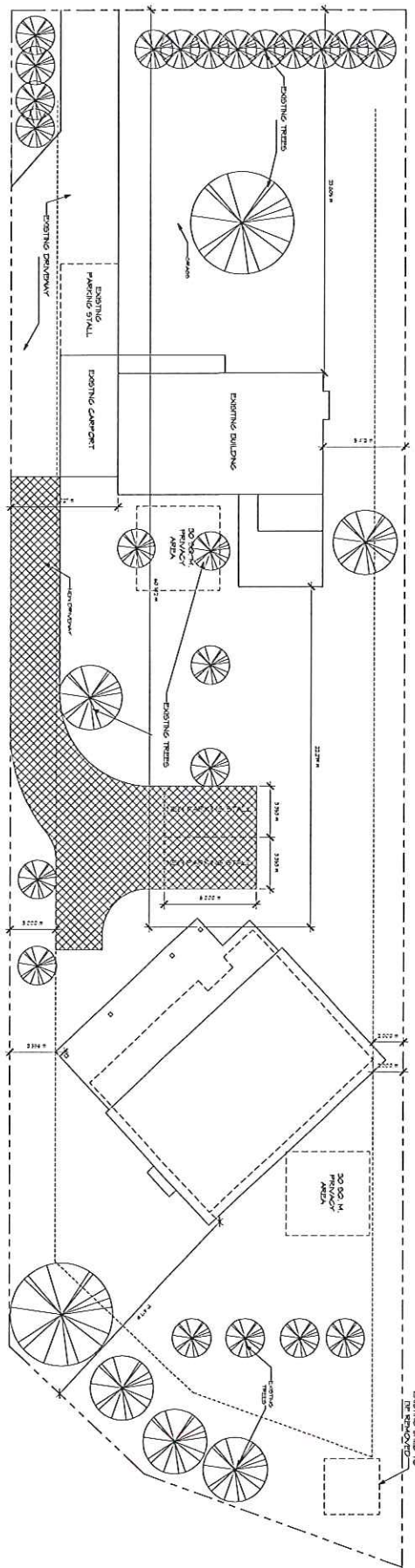
Development Engineering Comments

Consultation Summary



LEGAL DESCRIPTION
 LOT 2, PLAN 21365
 4377 GORDON DRIVE
 FID 007-512-864

Site
 1:125



- EXTERIOR WALL CONSTRUCTION**
- 8" CMU
 - 2" POLYURETHANE INSULATION
 - 1/2" GYPSUM BOARD
- ROOF CONSTRUCTION**
- 2" POLYURETHANE INSULATION
 - 5/8" CORRUGATED GALV. STEEL
 - 1" GYPSUM BOARD
- INTERIOR WALL CONSTRUCTION**
- 5/8" GYPSUM BOARD
 - 1/2" POLYURETHANE INSULATION
 - 5/8" GYPSUM BOARD
- INTERIOR SWING DOORS**
- 1 1/2" COMPACTED GRAVEL FILL

GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. EXISTING CONDITIONS ARE SHOWN FOR REFERENCE ONLY. VERIFY ALL EXISTING CONDITIONS BEFORE CONSTRUCTION.
3. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER BEFORE CONSTRUCTION.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
5. ALL ELECTRICAL AND MECHANICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL MECHANICAL CODE (NMC).
6. ALL FINISHES SHALL BE AS NOTED OR AS SHOWN ON THE FINISH SCHEDULE.
7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
8. ALL UTILITIES SHALL BE LOCATED AND MARKED BEFORE CONSTRUCTION.
9. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
10. ALL NEIGHBORHOODS SHALL BE KEPT CLEAR OF CONSTRUCTION MATERIALS AND EQUIPMENT.
11. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

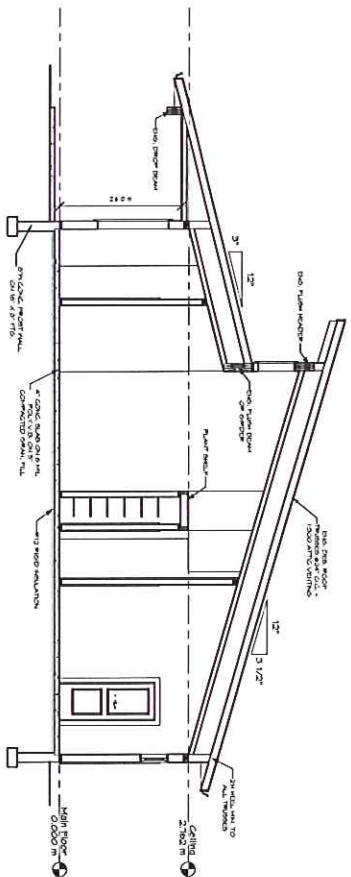
INTERIOR SWING DOORS

- 1 1/2" COMPACTED GRAVEL FILL

INTERIOR BIPOLDS

- 1 1/2" COMPACTED GRAVEL FILL

Section 1
 1:1/20



ISSUED FOR CONSTRUCTION

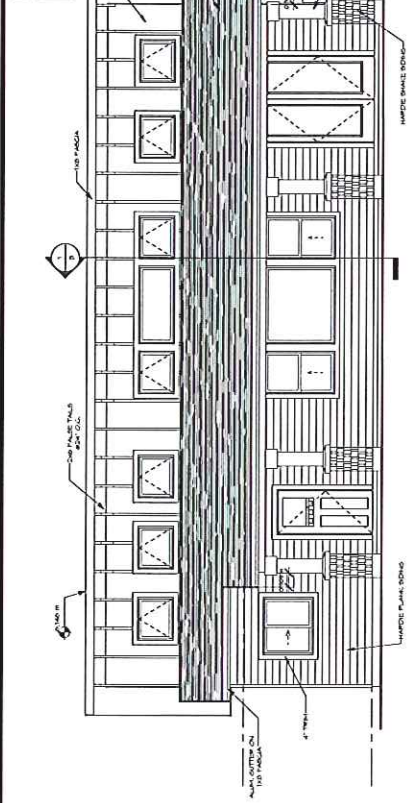
HARMONY HOMES

PROPOSED RESIDENCE OF:
 MR. & MRS. ROBERTA
 1001 WEST PINE HOLLOW RD., WYOMING, WY. 82001

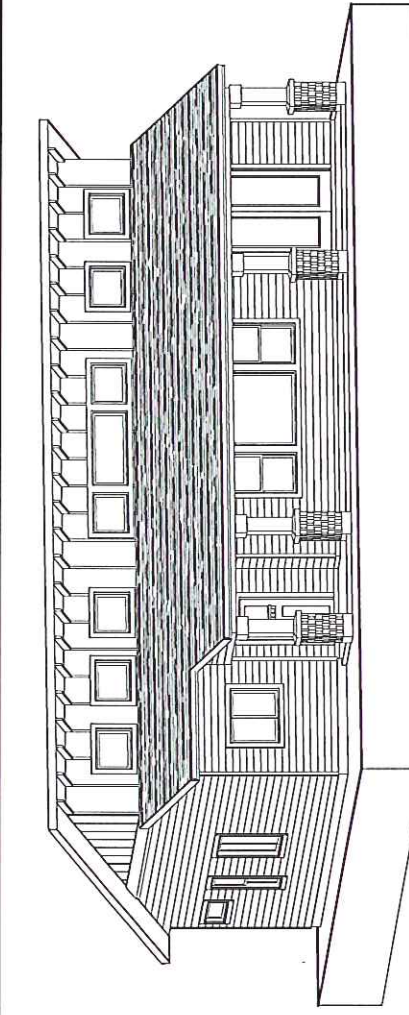
DATE: DECEMBER 2, 2013
 DRAWING SCALE: AS INDICATED
 DATE: JANUARY 31, 2014
 DRR BY: J.A.S.

AWARD WINNING BUILDER

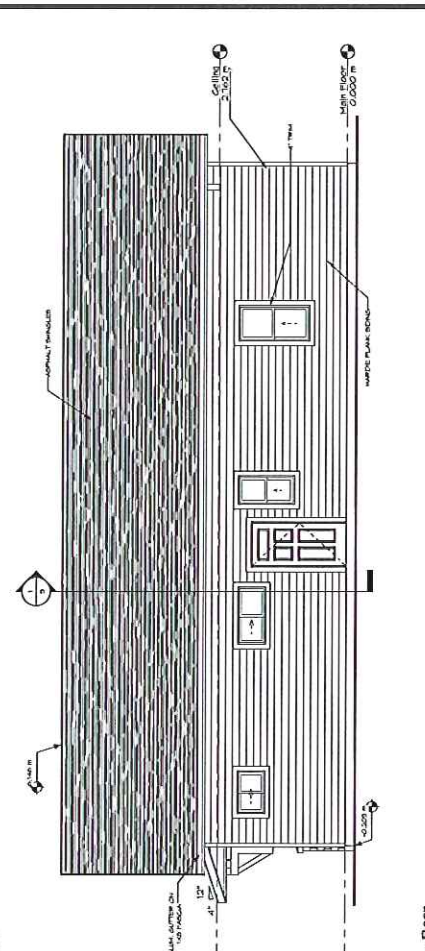
TYPE OF CONCRETE	
1	FOUNDATION & DOOR
2	FLOOR SLABS
3	SLIP PIER & SECTION



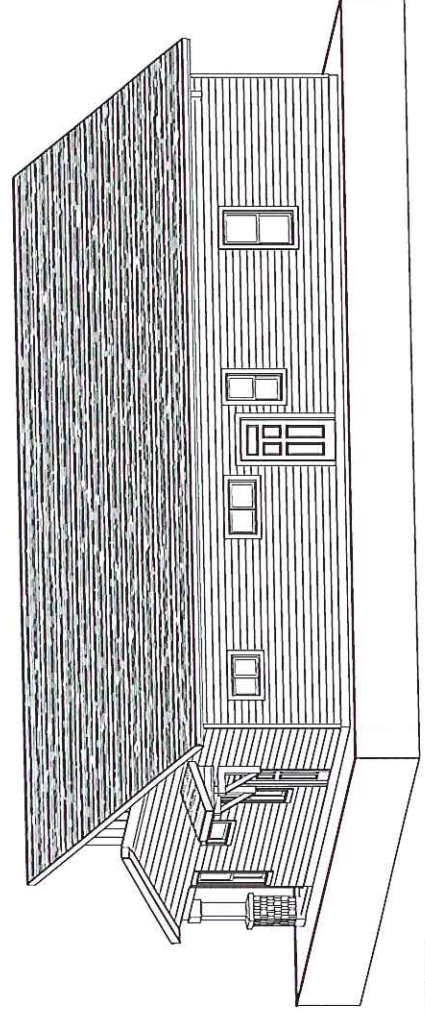
Front
1:140



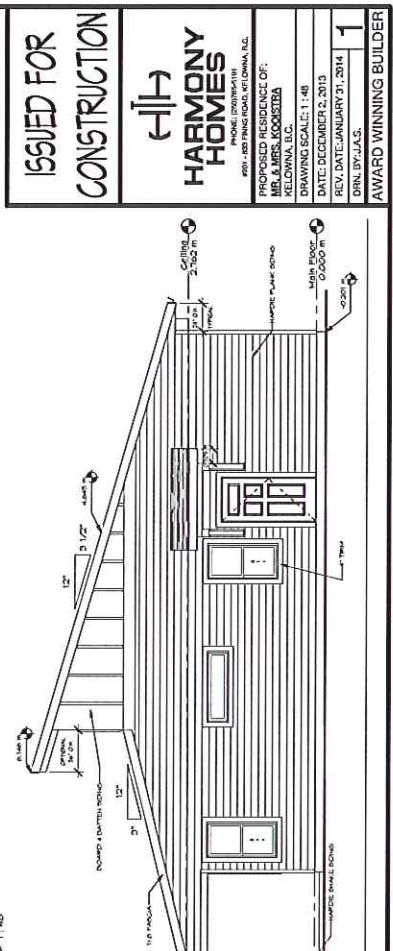
Front 3D
1:140



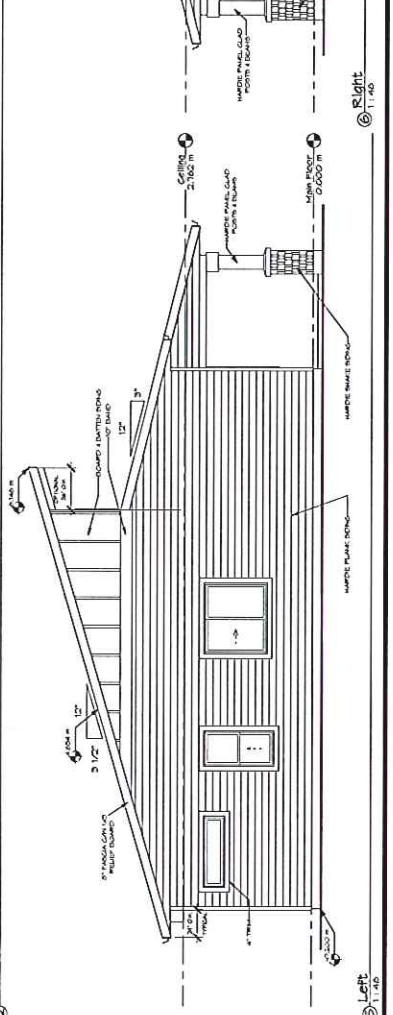
Rear
1:140



Rear 3D
1:140



Left
1:140



Left 3D
1:140

ISSUED FOR CONSTRUCTION

HARMONY HOMES
HOME BROWNSVILLE
PROPOSED RESIDENCE OF:
MR. & MRS. KOOSISTIA
KELOWNA, B.C.

DATE: DECEMBER 2, 2013
DRAWING SCALE: 1:140
REV. BY: J.A.S.
1

AWARD WINNING BUILDER

4377 Gordon Drive, Kelowna, BC V1W 1S7
Kooistra Development Proposal Application – Letter of Rationale

January 9, 2014

To Whom It May Concern:

Allow us to introduce ourselves; we are Richard & Michelle Kooistra, and we have resided at 4377 Gordon Drive, Kelowna since October 2000. We are proposing to rezone our property from its current RU1-Large Lot Housing designation, to RU6-Two Dwelling Housing. Doing so would permit us to build a secondary residence (single family dwelling) on the rear of the lot. Once the second residence is constructed, we will seek to stratify the property to make separate ownership of the existing and secondary homes possible.

Our desire is to construct, and move into, a smaller, single-story home (on our existing property) in order to downsize our living space without having to leave the area we love.

This would then make the existing larger 5 bedroom home available to another family -- likely a family with children who would be appreciative of the wonderful location and amenities available in the area. Amenities that include Dorothea Walker Elementary School, H2O Adventure and Fitness Centre, and Capital News Centre, which are all within a short walking distance.

The second residence will also be built to provide optimal environmental controls in the manner of air cleaners and the elimination of forced air heating, which will assist in preventing future health issues due to asthma, of which Michelle currently suffers.

As the property currently is sized at .63 acres there is ample room to add another residence without making the property - and surrounding properties - feel crowded. The proposed development to RU6 is also in keeping with the future land use designation of the OCP for the area.

Research in the area shows that similar rezoning has taken place in a perimeter close to our current property:

RU6 – 4361 Gordon Drive (4 doors north)
RU1C – 4379 Gordon Drive (immediate neighbor to the south)
RU6 – 4315-4327 Gordon Drive (10 doors north)
RU6 – 4377 Lakeshore Road (2 blocks west)

Our plans would see the construction of a single-story, on-slab (no basement/no crawlspace), smaller square-footage home, done in neutral colours (*see Colour Board document, attached*) to blend with the existing properties. We feel that a ground-orientated house of one-level will be minimally intrusive to the existing views/sightlines for ourselves and for our adjacent neighbours. The ground on which we plan to build is flat, and easily lends itself to allowing the added residence to have minimal visual impact to surrounding neighbours.

The design of the secondary home is intended to achieve the following:

- One story floor plan so as to not obstruct views/sightlines of adjacent neighbours, and ourselves
- Small square-footage to reduce heating and cooling requirements (thereby reducing draw on electrical and natural gas resources)
- House orientation setup for a South-western exposure in order to take advantage of passive solar heating and lighting (thereby reducing draw on electrical and natural gas resources)

*4377 Gordon Drive, Kelowna, BC V1W 1S7
Kooistra Development Proposal Application – Letter of Rationale*

cont'd...

- Xeriscaping using native plants and shrubs with low water requirements for any landscaping (thereby reducing draw on water resource). Much of the landscaping already exists on the property and any additional landscaping would be added as flower beds and for privacy purposes as needed
- In-home environmental features for efficient heating (hydronic in-floor heating) and ventilation (HRV system with HEPA filters) for improved air quality and overall health for allergy sufferers
- Hard and soft landscaping to ensure privacy with neighbouring properties and between the two residences on the lot
- Reduced lawn square-footage (for existing and newly proposed residences) in order to be more affordable and manageable, yet retaining ample greenspace for enjoyment and recreation
- Chip-gravel driveway (and/or grass-crete) to reduce heat retention and solar reflection in the hot summer season

The design of the home is contemporary with a skillion roofline, and is similar in style to a secondary building that was built on a neighbouring property (ie. 4383 Gordon Drive, and which can be seen in photo #52 of the attached Kooistra-Gallery-of-photo-locations.pdf that accompanies this rezoning and development application). The exterior design provides a streamlined, "less is more" minimalist look that is fresh, and functional — while still feeling warm and welcoming. The front porch element aims to connect the indoor and outdoor. The open floor plan, and lots of natural light are key characteristics of the home. The clerestory windows provide not only the natural light but will also aide in the overall ventilation of the home during the hot summer weather that is typical in the Okanagan.

As instructed by Council Policy No. 367, a Neighbourhood Consultation took place between December 4, 2013 and January 7, 2014. Attached is the written approval of the neighbours within the requisite 50m perimeter affected by our proposed build. The majority are in support and have raised no issues of concern with the development proposal. *(Summary: 20 neighbours were notified; of that 20, 16 gave their written agreement with no objections; 2 neighbours we were unable to reach despite multiple attempts; 2 neighbours refused to sign (with no specific reason given.)* See attached for full details.

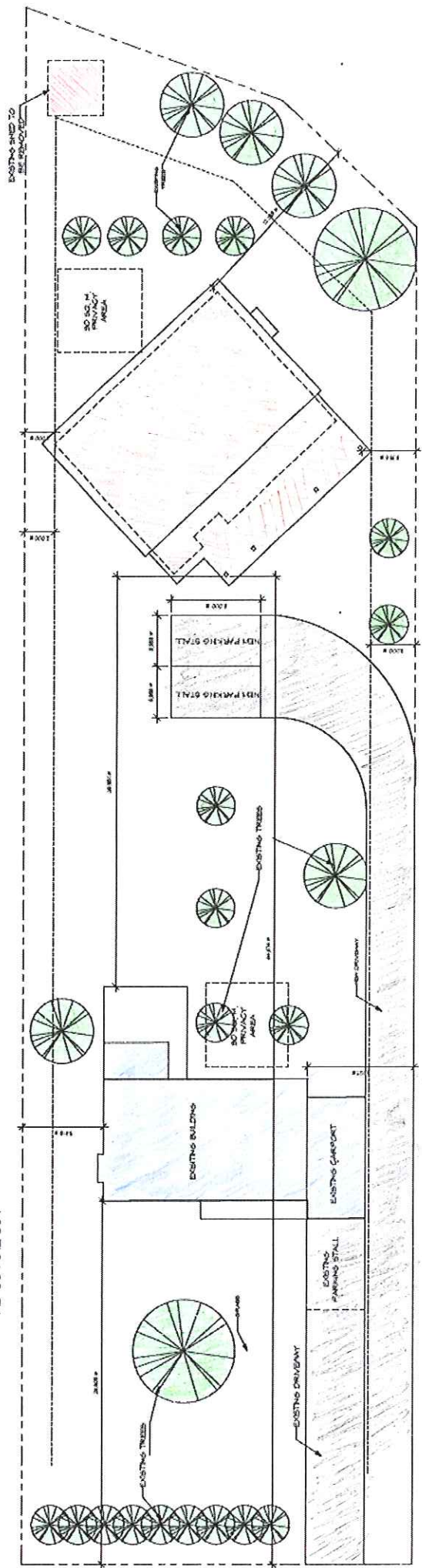
Thank you for your time and consideration of our request.

Sincerely,

Richard & Michelle Kooistra
4377 Gordon Drive
Kelowna, BC V1W 1S7
250-764-1422

LANDSCAPE PLAN : 4377 GORDON DRIVE, KELOWNA, V1W 1S7

LEGAL DESCRIPTION
 LOT 2, PLAN 21365
 4377 GORDON DRIVE
 PID 007-512-864



Site
 11.15.10

Kooistra Development Proposal

4377 Gordon Drive, Kelowna BC V1W 1S7

Colour Board

Roofing Material and Colour

- Fiberglass Laminate Shingles
Colour: Slate grey

Main Exterior Material and Colour

The construction plans would see the construction of a single-story, no basement, small footprint home, done in neutral colours to complement existing surrounding homes.

- Siding: Hardie Panel & Shake style mix
Colours:

Main body: James Hardie Light Mist
Trim: James Hardie Arctic White

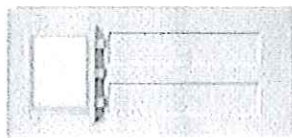


Window/Door/Trim Colour and Material

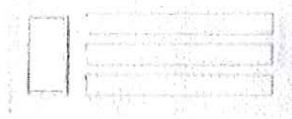
Window Material: Vinyl
Window Colour: White

- Door (Main Entry): White fiberglass with transom window above
- Doors (Secondary Entries): White fiberglass with transom window above

Front Entry Door



Side and Rear Doors



Hardie-Plank siding

Light Mt.



Trim - Arctic White

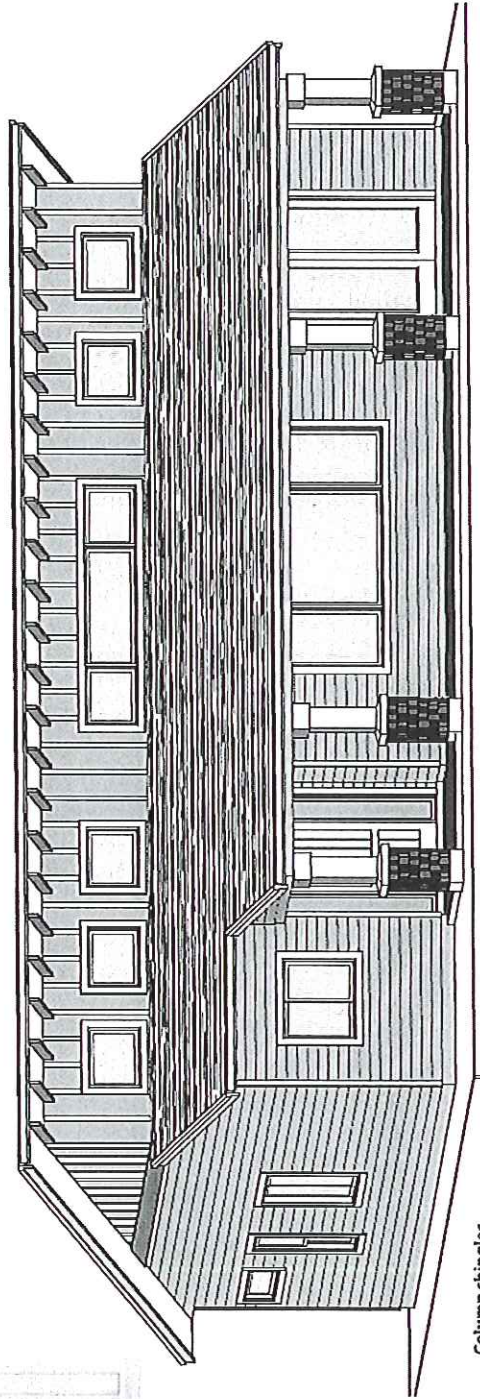
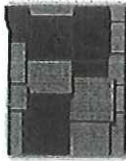
Arctic White



Roof Shingles



Column shingles



4377 Gordon Drive, Kelowna, BC V1W 1S7
Kooistra - Colour board

CITY OF KELOWNA
MEMORANDUM

Date: January 31, 2014
File No.: Z14-0003
To: Urban Planning (AC)

From: Development Engineering Manager

Subject: 4377 Gordon Drive Lot 2 Plan 21365 RU1 to RU6

Development Engineering Services have the following requirements associated with this rezoning Application.

1. Domestic Water and Fire Protection

Our records indicate this property is currently serviced with a 19mm-diameter water service. An additional water service will be required and can be provided by City forces at the developer's expense. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrade. For estimate inquiry's please contact Sergio Sartori by email ssartori@kelowna.ca or phone 250-469-8589.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.

3. Site Related Issues

The Parking Area shall be designed so as to allow vehicles to turn-around on-site and exit onto Gordon Drive in a forward direction.

The driveway must be a dust free surface such as asphalt such that surface drainage is directed to an approved drainage system.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

Steve Muenz, P. Eng.
Development Engineering Manager

SS

Kooistra Neighbourhood Consultation Summary

4377 Gordon Drive, Kelowna BC V1W 1S7

Name	Address	Notification Method			Details of notification attempts (if needed)	Confirmation Signature Received
		In-person	House Mailbox	Phone		
Eric Rayson & Mavis J. Rayson	4373 Gordon Drive	✓			-	Yes, no objections
Troy & Linda Micelli	4379-A Gordon Drive	✓			-	Yes, no objections
Marie Iceberg	4379 B Gordon Drive	✓			-	Yes, no objections
Anna Vellejos & Alberto Boza	4360 Gordon Drive	✓			-	Yes, no objections
Michelle Ito & Rick Ito	4366 Gordon Drive	✓			-	Yes, no objections
George Rempel	4376 Gordon Drive	✓			-	Yes, no objections
Louise Goresas	4383 Gordon Drive	✓			-	Yes, no objections
Chad Genevoux	688 Balsam Road		✓	✓	-	Yes, no objections
Carlo Pullice & Jasmine Pullice	790 Dehart Road	✓			-	Yes, no objections
Greg Godber	798 Dehart Road	✓			-	Yes, no objections
Debra L. Nelson & Carl R. Nelson	709 Hazell Road		✓	✓	Owner out of town for season, spoke with daughter and received owner email address, sent package as email attachment	Yes, no objections
Darrel Smith	710 Tozer Court		✓	✓	-	Yes, no objections
David Poltras	719 Hazell Road	✓			-	Yes, no objections
Nell Demunick	742 Dehart Road	✓			-	Yes, no objections
Francis Fisher & Terrence Fisher	752 Dehart Road	✓			-	Yes, no objections
James P. Hawkins	762 Dehart Road	✓			-	Yes, no objections
Moon K. Jung	705 Hazell Road		✓		Owner unresponsive. Notification package left with renters, as well as notification package sent as attachment via multiple email attempts (email address provided by renter).	No - unable to contact owner
Ben Duckworth & Lisa Duckworth	782 Dehart Road	✓	✓	✓	Owner unresponsive. Notification package left with renters, as well as notification package sent as attachment to email (email address provided by renter). Several phone calls made and messages left to various phone numbers (one phone number provided by renter). All contact requests (3 email and 3 phone) have gone unanswered over period from December 4th, 2013 to January 9th, 2014. Update: Sign-off received January 27, 2014.	Yes, no objections
Fred Dane	772 Dehart Road	✓	✓	✓	Owner unresponsive after two sets of notification packages left and multiple requests for contact (in-person visits on 3 occasions, 1 by phone). Final phonecall conversation indicated he would not oppose the build, but wasn't interested in signing off.	No - Declined to sign
Jon Roung	790 Tozer Court	✓			Declined to sign, no reason given.	No - Declined to sign

PROPOSED SECOND RESIDENCE 4377 GORDON DRIVE, KELOWNA, BC

This is to confirm I as a proximity neighbour have no objections to the location and design of the proposed new house on 4377 Gordon Drive, Kelowna BC V1W 1S7 (as shown on drawings dated December 2, 2013 prepared by Harmony Homes).

FULL NAME:

(Please Print)

Robert and Lisa Duckworth

ADDRESS:

(Please Print)

782 Dehart Rd.

SIGNATURE:



DATE:

January 27, 2014
